



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD**

**CONSTRUCTION CODES COORDINATING BOARD
MINUTES OF REGULAR MEETING
Thursday, June 20, 2019
Department of Fire and Emergency Medical Services
1100 4th Street, S.W. – 7th Floor Conference Room
Washington, DC 20024
10:30 am—12:30 pm**

Members Present	Board Members Not Present	Board Staff Present	Other Persons Present
Jill Stern, Chair	Joel Causey		Kirsten Williams, AOBA (by phone)
Marc Fetterman, Vice Chair	Armando Lourenco		
Chris Bailey			
Matthew Borger			
David Epley			
Tony Falwell			
Kellie Farster			
Casey Studhalter (by phone)			
Garret Whitescarver			
Jason Wright			

1. Preliminary Matters

i Call to Order and Roll Call

Upon establishing a quorum, the meeting was called to order by Jill Stern, Chair, at 10:44 am with a roll call of members and other persons present.

ii Adoption of Meeting Agenda

The meeting agenda was unanimously approved upon motion made by Jason Wright and seconded by Garrett Whitescarver.

iii Review & Approval of Meeting Minutes

The meeting minutes for the Thursday, May 16, 2019 Regular Meeting were approved unanimously upon motion made by Jason Wright and seconded by Tony Falwell.

2. Report on Status of Second Notice of Proposed Rulemaking (2017 DC Construction Codes)

Jill Stern reported that the Mayor's Office of Policy and Legislative Affairs (OPLA) is still reviewing the Second Notice, but that she has been unable to get any confirmation as to when review will be completed. Board members expressed strong



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concern that the continued delay will likely push code adoption until 2021, putting DC nearly two code cycles behind the ICC model codes. The Board members discussed possible options for communicating urgency to the Mayor's office, with suggestions including a letter from the CCCB to the Mayor's office expressing the Board's concerns about the deleterious impact of the delayed code adoption. Casey Studhalter suggested that the DCRA and DOEE Directors might want to reach out to the Mayor's Office about this as well. Kirsten Williams of AOBA also expressed a desire to help.

Following this discussion, the Board unanimously approved a motion made by Jason Wright and seconded by Chris Bailey, to send a letter to the Mayor's office asking for a status update and communicating the Board's concern about further delay. Jill Stern indicated that she would draft and circulate a letter for the Board's review.

Kirsten Williams affirmed AOBA's intent to comment on the Energy and Green Construction Codes that will be published in the Second Notice. A Board member recalled that leadership of the DCBIA has stated that they too will comment on the Construction Codes. Jill Stern remarked that comments should be limited to changes between the First Notice and the Second Notice.

Dave Epley called the Board's attention to a letter sent by the Sierra Club to the Mayor's Office asking that review of the 2017 Construction Codes be expedited.

3. New Code Development Cycle.

The Board discussed the proposed timeline for the 2018 Code Development Cycle that was circulated in the Board materials. The discussion focused on the proposed date to kick-off the new code cycle with differing views expressed as to timing of the new code development cycle. Kirsten Williams recalled her participation at DCRA stakeholder meetings during which several participants expressed opinions that the Construction Codes adoption process was not sufficiently transparent. Concern was also expressed about potential confusion if the new code cycle is launched before the Second Notice of Proposed Rulemaking for the 2017 Construction Codes is published. Kellie Farster advocated an earlier kick-off with solicitation of new TAG members occurring as soon as possible. There was a Board consensus that a public notice should be published in the DC Register as soon as possible notifying the public that the CCCB is implementing a process change for the new code cycle. Jill Stern suggested that the Board should also consider whether it made sense to publish a Notice of Proposed Rulemaking to adopt the 2018 ICC model codes, the 2017 NEC and ASHRAE 90.1-2019, and to invite comments in order to identify changes, revisions or deletions of the model codes. She suggested that this approach would, by default, adopt the model codes and also establish a definitive date for code change proposals to be submitted.

Following up on the Board discussion, Jill Stern indicated that she would draft and circulate a notice to the Board for the purpose of announcing a change in the code development process. She cautioned the Board however that a new code development cycle should not be launched until DCRA commits to provide adequate administrative support for the code development effort. She indicated that she has scheduled a meeting with the DCRA Director in July to discuss this subject. The Board members discussed the staffing and IT support that they thought would be needed for this effort, which included online and fillable code change forms, online databases, and customer relationship management (CRM) tracking, so that code changes could be submitted online and tracked. All agreed that the goal would be greater transparency in the code development process.



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4. Other Matters

The Board briefly discussed CM Nadeau's intention to introduce legislation, modeled on a San Francisco ordinance, to require baby diaper-changing accommodations to be made available for all genders. Jill Stern indicated that she had been in touch with CM Nadeau's staff, and had recommended that the proposal be handled as an amendment of the DC Official Code, and not the Construction Code regulations. She also asked for the Board's feed-back on the specifics of the proposal, and whether corresponding amendments of the Construction Codes would be required to implement this policy change. The Board's initial views were that this matter should be handled as a part of the Construction Codes and amendments to the Building Code and the Property Maintenance Code would be required. Jill Stern agreed to provide copies of the proposed legislation to the Board when she receives it from CM Nadeau's office.

Jill Stern announced that a Notice of Final Rulemaking had been published for Child Development Homes in the DC Register on June 14. The Notice of the 4th and 5th Emergency Rulemakings for Attestation and Seal Change for Architects and Engineers will be published on June 21 and Final Rulemaking is scheduled to be published on June 28. She will forward links of these texts to the Board.

The Board also discussed the request by the International Association of Plumbing and Mechanical Officials (IAPMO) to make a presentation on the Uniform Plumbing and Mechanical Codes. There was no interest expressed in a presentation because DC is committed to the ICC family of codes. However, the Board asked Jill Stern to have IAPMO send any information it wants to circulate for review.

Dave Epley made a brief presentation to the Board about efforts to encourage the ICC to adopt a more forward thinking Energy Conservation Code, so that jurisdictions can use the ICC model energy code, rather than having to create more individualized energy codes. He noted that the Massachusetts Environmental Department is sending a letter to the ICC on this subject, and he asked the CCCB whether it would be willing to send a similar letter to the ICC. He expressed a belief that the CCCB has an interest in the ICC adopting a more robust energy code since this will save a lot of time and resources in the DC code development process that are now being spent to create an energy code that draws on ASHRAE 90.1 and other pathways. While the Board members generally agreed with the goal expressed, the consensus was that the CCCB was not the appropriate entity to send a letter to the ICC because (a) jurisdictions and public officials are the constituency of the ICC; and (b) energy conservation goals are typically a federal or local governmental policy matter, so it would be more appropriate for DOEE and DCRA to send a letter to the ICC rather than the CCCB. The Board suggested that Dave follow up with the appropriate people at DCRA and DOEE to send a letter to the ICC.

Kirsten Williams expressed her association's intent to question certain proposed code sections even if these sections align with DC Government policies on energy and sustainability issues.

5. Comments by Members of the Public

There were no comments by members of the public except as indicated above.

6. Adjournment

The meeting was adjourned at 12:30 p.m. The next Board meeting is scheduled for July 18, 2019.